

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,
Plaintiff,

v.

CALIFORNIA SUPREME COURT,
Defendant.

Case No. [16-cv-01059-VC](#) (PR)

**ORDER OF DISMISSAL WITH
PREJUDICE**

Plaintiff Steven Wayne Bonilla is a state prisoner who filed this *pro se* complaint against the California Supreme Court challenging the validity of a state court criminal judgment. Bonilla has been disqualified from proceeding *in forma pauperis* under 28 U.S.C. § 1915(g) unless he is “under imminent danger of serious physical injury” at the time he filed his complaint. 28 U.S.C. 1915(g); *In re Steven Bonilla*, No. C 11-3180 CW (PR); *Bonilla v. Dawson*, No. C 13-0951 CW (PR).

The allegations in this complaint do not show that Bonilla was in imminent danger at the time of filing. Therefore, he may not proceed *in forma pauperis*. Furthermore, even if he pays the filing fee he may not proceed because, even liberally construed, the allegations do not state a claim for which relief may be granted and amendment would be futile. *See* 28 U.S.C. § 1915A(a). Moreover, this lawsuit is barred under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). Accordingly, the case is dismissed with prejudice.

The clerk shall enter a separate judgment and close the file.

IT IS SO ORDERED.

Dated: March 10, 2016



VINCE CHHABRIA
United States District Judge